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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,165	07/12/2001	Jean-Claude Guerin	PF000071	2513

7590 07/29/2004

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EXAMINER

HANEY, MATTHEW J

ART UNIT	PAPER NUMBER
2613	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/904,165	GUERIN ET AL.	
	Examiner	Art Unit	
	Matthew Haney	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Stuettler (US 6,040,852). Stuettler teaches of a stereoscopic camera having a first and second camera generating images and each image of the said first sequence being associated with an image of the second sequence (Note: the outputs being designated by even fields for one channel and odd fields for the second channel, Column 4, Lines 33-42); means to display a sequence of stereoscopic images from said first and second sequences of images (Note: reproduction on a reproducing monitor, Column 5, Lines 47-48, For definition of reproducing monitor see (Column 3, Lines 58-61)); a storage means for storing at least one image of said first sequence of images and the

associated image of said second sequence of images (Note: relayed for the purpose of video recording to a recording device (i.e. storage device), Column 4, Lines 43-46, For definition of recording device see (Column 3, Lines 24-26); a first selection means placed upstream of the display and for selectively supplying said display means either with one stored image of said first sequence and the associated image of second sequence (Column 5, Lines 31-48); first storage means comprise two storage circuits in order for each one to store at least one image (Note: raster image buffer (i.e. storage circuit), Column 3, Lines 51-53, Along with Figure 4 which shows 2 such devices

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stuettler (US 6,040,852) in view of Gibas (US 5,675,377).

Most of the limitations in this claim have been noted in the above rejection of claim 1. In addition, Stuettler also teaches of an external piece of equipment is a video recorder or a hard disk (Column 4, Lines 33-42, and Column 3, Lines 24-26). Stuettler does not teach of a first and second input in order to receive third and fourth sequences of images coming from a piece of equipment external to said stereoscopic camera and each third image sequence being associated with a fourth image sequence and selection means for first and second sequence images or third and fourth image

sequence, however, Gibas does (Column 6, Lines 1-10). also. It would have been obvious to one of ordinary skill in the art to allow for a second input into the system in order for a plurality of cameras to be used in order to obtain a plethora of images at slightly different angles in order to develop the best stereoscopic image.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stuettler (US 6,040,852) in view of Katayama (US 6,640,004).

Most of the limitations in this claim have been noted in the above rejection of claim 1. Stuettler does not teach of a camera comprises a second storage means intended to store values representative of adjustment parameters of said first and second cameras, however, Katayama (Claims 1, 13, and 14). It would have been obvious to one of ordinary skill in the art to allow for storage of the adjustment parameters in order to allow for easier adjustment of camera settings when returning to a familiar object within a setting and to make matching of two images easier by having the stored value of the focal length and the degree the camera is held at.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kumar (US 5,963,664) discloses a first and second camera that generates images in separate sequences and also allows for the input of other cameras within the system.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Haney whose telephone number is 703-305-4915. The examiner can normally be reached on M-Th (7-4:30), Every Other Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Matthew Haney
Examiner
Art Unit 2613

mjh


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
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